

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Office Communication mailed on July 6, 2009.

No claims are amended, claims 1-88 and 90 are canceled, and no claims are added; as a result, claims 89 and 91-95 are now pending in this application.

Priority

Page 3 of the Office Communication mailed on July 6, 2009, stated that Applicant should amend the first paragraph of the specification to include a complete statement of all priority claims, and a statement of the current status of the related applications/patents. Applicant respectfully submits that the first paragraph of the specification, e.g., the paragraph immediately following the Title, now includes a complete statement of all priority claims and a statement of the current status of the related applications/patents, in accordance with the Examiner's instructions.

Information Disclosure Statement

Page 5 of the Office Communication mailed on July 6, 2009, stated that the information referred to in the information disclosure statements filed on March 16, 1999, April 30, 2001, August 20, 2004, October 20, 2008, and May 13, 2009, has not been considered as to the merits. Applicant has re-submitted these information disclosure statements with the request for continued examination filed concurrently herewith. Accordingly, Applicant respectfully requests that these information disclosure statements be entered and the information therein be considered by the Examiner and made of record.

Ex Parte Quayle

Applicant notes with appreciation the allowance of claim 89, except for the following formal matters:

Claims 91-95 should be canceled.

Applicant, however, has filed a request for continued examination, along with the required submission and fee, under 37 CFR 1.114 concurrently herewith. Accordingly, Applicant respectfully requests prosecution in this application be reopened in accordance with 37 CFR 1.114 and MPEP 706.07(h), and that the re-submitted information disclosure statements discussed above be entered and the information therein be considered by the Examiner and made of record.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's below listed attorney at (612) 236-0122 to facilitate prosecution of this matter.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS RCE Commissioner for Patents, P.O. BOX 1450 Alexandria, VA 22313-1450, on this 19 day of August, 2009.

Jillian K. Aue
Name
[Signature]
Signature

Respectfully Submitted,
Andrew H. Cragg

By Applicant's Representatives,
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By: [Signature]
Joseph C. Huebsch
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Date: Aug. 18, 2009